

PATENT

The Eclipse Group Docket No. ST02014USU (168-US-U1)

REMARKS

II. Examiner's Restriction Requirement

In the January 23, 2008 Restriction Requirement, the Examiner required restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1-4, 10-29, 30-39, and 44-88 as drawn to "A method to search for GPS satellites with a Fast Acquisition System."
- II. Claims 5, 6-9, and 40-43 as drawn to "A system within a multi-channel GPS receiver that searches for GPS satellites."

The Examiner also required a further restriction if Applicants should elect Group I as follows:

- A. Claims 1-4, 10-29, and 59-78 as drawn to a method and apparatus for searching GPS satellites utilizing the Doppler frequency of the weak GPS signals.
- B. Claims 30-39, 44-59, and 79-88 as drawn to a method and apparatus for searching GPS satellites by monitoring the received GPS signals.

Applicants respectfully submit that the Examiner's reasons for requiring a restriction requirement are based on erroneous and/or unsupported assertions. For example, in arguing that the species A and B in Group I are independent or distinct, the Examiner states that "the different species have mutually exclusive characteristics for each identified species." The Examiner does not identify any characteristics that are "mutually exclusive" nor otherwise offers support for his conclusion. Similarly, the Examiner lists reasons for the propriety of the restriction of species A and B without providing support or examples for the statements. The Examiner does not show how, or in what manner, "the inventions have acquired a separate status in the art in view of their different classification...or due to their recognized divergent subject matter."

Nevertheless, Applicants hereby elect **Group I, Species B** for examination. Claims 1-29, 40-43, and 60-78 are canceled without prejudice.

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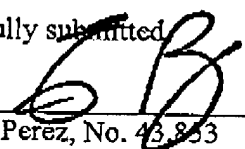
III. CONCLUSION

Favorable consideration is respectfully requested in view of the foregoing remarks.

Dated:

2/12/2008

Respectfully submitted


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